

### **REMARKS**

In the outstanding Office Action, the Abstract of the Disclosure was objected to for including legal terms; the drawings were objected to for not showing every feature of the claimed invention; claims 7-17 and 25-28 were rejected under 35 U.S.C. § 112, second paragraph, as being indefinite; claims 1-13, 16-24, 29, 30, 39, 40, and 43-54 were rejected under various provisions of 35 U.S.C. § 102 as anticipated by at least one of U.S. Patent No. 5,186,337 to Foster et al., U.S. Patent No. 4,934,933 to Fuchs, U.S. Patent No. 6,196,649 to Block et al., and U.S. Patent Application Publication No. 2003/0014817 to Gallant et al.; and claims 14 and 25-28 under rejected 35 U.S.C. § 103 as obvious in view of at least one of Foster et al., Gallant et al., and U.S. Patent No. 3,869,106 to Gregov.

The Abstract of the Disclosure and claims 1, 5-8, 10, 11, 13-17, 25, 29, 30, 40, and 48 have been amended by this Amendment. No new matter has been added to this application by these amendments.

As an initial point, with respect to the restriction requirement applied against this application, Applicants note that the outstanding Office Action indicates that each of the independent claims of the application have been examined. Thus, the claims withdrawn from examination all depend from independent claims that have not been withdrawn. In view of this, Applicants request that in future communications from the Patent Office the withdrawn dependent claims be rejoined and indicated as allowable if their respective independent claim are deemed allowable.

Addressing the objection to the Abstract of the Disclosure, Applicants attach to this Amendment a new Abstract of the Disclosure that does not include legal terms,

such as “disclosed” and “invention.” Accordingly, Applicants respectfully request that this objection be withdrawn.

Applicants also request that the drawing objection be withdrawn. Applicants submit that the limitations of claim 16 are depicted in the figures. In particular, Fig. 6 of the instant application depicts a shelf having a power module 174 including two electric connectors. Accordingly, Fig. 6 depicts a shelf having at least one of an electric, fluid, or data connector, as recited in claim 16. For this reason, Applicants request that the objection to the drawings be withdrawn.

With respect to the rejections of claims 7-17 and 25-28 under 35 U.S.C. § 112, second paragraph, Applicants have amended the relevant claims to provide proper antecedent basis (claim 7 and claim 10), and have added the language suggested by the Examiner to independent claim 25 regarding the disconnecting of the equipment support assembly from the overhead suspension system. In view of this, Applicants request that the section 112 rejections be withdrawn.

Applicants will now address the art rejections applied against independent claim 1. Claim 1 has been amended to incorporate the subject matter of dependent claim 5. Block et al. was the only art applied against dependent claim 5. Block et al., however, fails to disclose or suggest the servicing system recited in independent claim 1. For example, Block et al. fails to disclose or suggest, *inter alia*, an equipment support assembly including a support column and at least one shelf, the equipment support assembly being removably coupled to a side of the service module.

Block et al. discloses a surgical equipment management system including a main body (A), and a support table (C) coupled to vertical extrusion members (12, 14, 16, and

18) of the main body. The extrusion members are not “removably coupled” to the main body, but rather permanently form a portion of the main body. Removing the extrusion members would destroy the main body. Accordingly, an extrusion member of Block et al. cannot be equated to the support column removably coupled to the service module recited in claim 1.

Additionally, Block et al. discloses that the main body may be adaptable to include additional shelves (G) by attaching additional extrusion members (12', 14', 16', and 18') to the bottom end of the main body, and attaching additional face panels (24'-30') to the additional extrusion members. This additional structure results in an extension of the main body. Block et al. does not disclose or suggest that this additional structure is removably coupled to a service module, but rather implies a permanent attachment by way of a “butt splice” connection to the main body, and the inclusion of face panels making it difficult to access the connection. In addition, as noted above, this additional structure disclosed by Block et al. is attached to a bottom end of the main body. Accordingly, the additional extension members of Block et al. cannot be equated to the equipment support assembly coupled to a side of a service module as required by claim 1.

For the above reasons, Applicants respectfully traverse the rejections of independent claim 1, as amended, in view of the cited art. Accordingly, Applicants request that independent claim 1 be allowed, along with claims 2-4, 7, and 11-24 that depend from claim 1.

Applicants submit that new independent claim 8 is not disclosed or suggested by the cited art. Independent claim 8 is merely previous dependent claim 8 rewritten in

independent form and including additional limitations relating to the at least one shelf member of the equipment support assembly. Block et al. was the only art cited against previously pending dependent claim 8. With respect to Block et al., the surgical equipment management system described does not include, for example, at least one shelf member including an adjustable clamping assembly configured to adjust the width of the shelf. In fact, Block et al. may be seen to teach away from such an aspect based on the statement that “[a]djustments of the width of the [main body is] useful to provide appliance support shelves of various widths.” Col. 2, lines 58-60. Accordingly, Block et al. requires the assembly of a new main body in order to increase the width of its support shelves.

For the above reason, Applicants respectfully traverse the rejection of independent claim 8 in view of the cited art. Accordingly, Applicants request that independent claim 8 be allowed, along with claims 5, 6, 9, and 10 that depend from claim 8.

Applicants further submit that independent claim 25 is not disclosed or suggested by the prior art. In particular, Applicants traverse the rejection of independent claim 25 as obvious in view of Gallant et al. Gallant et al. fails to disclose or suggest, for example, among other things, an equipment support assembly movable along three separate and perpendicular axes when coupled to a overhead suspension system. The relevant portions of the Gallant et al. assembly include columns (40, 42) carrying detachable patient care equipment. The columns slide along fixed tracks (98) such that the patient care equipment is movable along a first axis corresponding to the fixed tracks. In addition, Fig. 8 of Gallant et al. discloses movement of the patient care

equipment about a second axis (arrow 152). No other movement of the patient care equipment is disclosed. Accordingly, the patient care equipment attached to the columns disclosed in Gallant et al. are disclosed as movable only along two separate and perpendicular axes, not three as required by independent claim 25. With respect to the embodiment disclosed in Fig. 19 of Gallant et al., the movement of the mobile cart (560) is not stated.

For the above reasons, Applicants respectfully traverse the rejection of independent claim 25 in view of the cited art. Accordingly, Applicants request that independent claim 25 be allowed, along with claims 26-28 that depend from claim 25.

Applicants also traverse the rejection of independent claim 29 as anticipated by Block et al. Block et al. fails to disclose or suggest a shelf for a medical service system including a clamping assembly configured to clamp equipment positioned on the shelf, the clamping assembly coupled to a shelf base member and extending generally in a direction of the shelf width dimension, as required by independent claim 29. As noted above, Block et al. may be seen to teach away from such an aspect based on the statement that “[a]djustments of the width of the [main body is] useful to provide appliance support shelves of various widths.” Accordingly, Block et al. requires the assembly of a new main body in order to increase the width of its support shelves.

For the above reason, Applicants request that independent claim 29 be allowed, along with claims 30-38 that depend from claim 29.

With respect to independent claim 39, Applicants submit that Gallant et al. does not disclose or suggest, for example, among other things, a shelf assembly including at least one shelf member for supporting equipment, as required by claim 39. As noted

above, Gallant et al. discloses columns (40, 42) carrying detachable patient care equipment, but does not disclose the columns detachably carrying shelf members for supporting equipment. For at least this reason, Applicants traverse the rejection of independent claim 39 based on by Gallant et al. Accordingly, Applicants request that the rejection of independent claim 39 be withdrawn, along with the rejection of claims 40-47 that depend from claim 39.

Finally, Applicants respectfully traverse the rejection of independent claim 48 for reasons similar to those provided above with respect to independent claim 39. In particular, Gallant et al. fails to disclose or suggest, for example, among other things, an equipment support assembly including at least one shelf member for supporting equipment. For at least this reason, Applicants request that independent claim 48 be allowed, along with claims 49-54 that depend from independent claim 48.

For the reasons noted above, Applicants submit that neither Block et al. nor Gallant et al. disclose or suggest the pending claims. Nor does any of the other art cited in the Office Action. It is noted, however, that Applicants reserve their right to submit an appropriate declaration under 37 C.F.R. § 1.131 to remove the rejections in view of one or both of Block et al. and Gallant et al.

The outstanding Office Action contains characterizations of the claims and the related art with which Applicants do not necessarily agree. Unless expressly noted otherwise, Applicants decline to subscribe to any statement or characterization in the Office Action.

Please grant any extensions of time required to enter this response and charge any additional required fees to our Deposit Account No. 06-0916.

Respectfully submitted,

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Dated: August 24, 2004

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